

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

BENJAMIN P. LOPEZ,

Plaintiff,

v.

FNU KUSICK, et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)

Case No. CIV-19-1025-SLP

ORDER

Before the Court is the Report and Recommendation of United States Magistrate Judge Shon T. Erwin entered July 27, 2020 [Doc. No. 29]. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted¹. Therefore, the Court finds that Plaintiff has waived further review of all issues addressed in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656 (10th Cir. 1991); *see also United States v. 2121 E. 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996).

Accordingly, the Report and Recommendation of the Magistrate Judge is ADOPTED in its entirety and Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE.

¹ The case file reflects that the Clerk's mailing of a copy of the Report and Recommendation to Plaintiff was returned as undeliverable. However, it is Plaintiff's obligation to provide written notice of a change of address. *See* LCvR 5.4(a) ("Papers sent by the court will be deemed delivered if sent to the last known address given to the court."); *see also Theede v. United States Dep't of Labor*, 172 F.3d 1262, 1267-68 (10th Cir. 1999) (*pro se* plaintiff who failed to provide a change of address or address correction waived review by failing to make a timely objection).

IT IS SO ORDERED this 18th day of August, 2020.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE